

# INTRODUCTION

This report is presented in 9 volumes. The first volume, the draft main report and environmental impact statement (EIS), is a non-technical presentation of the study results, including a broad overview of the overall project history and formulation process, the draft EIS, and study recommendations. The second volume presents the mitigation plan. Volumes 3 through 8 include technical appendixes which contain technical data in support of the information presented in the main report and EIS. These appendixes are included primarily as an aid to the technical reviewer. Comments from other agencies and the public have been included in Volume 9) of the report.

## AUTHORITY

This study was conducted in response to the following authorities and guidance:

**Chapter 112, Public Law 455, 84th Congress, 2nd Session, approved 29 March 1956.**

*"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the existing project for the Mississippi River, Baton Rouge to the Gulf of Mexico, is hereby modified to provide for the Mississippi River Gulf Outlet to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, substantially in accordance with the recommendations of the Chief of Engineers contained in the House Document Numbered 245, Eighty-second Congress, at an estimated cost of \$88,000,000: Provided that when economically justified by obsolescence of the existing lock or by increased traffic, replacement of the existing lock or an additional lock with suitable connections is hereby approved to be constructed in the vicinity of Meraux, Louisiana, with type, dimensions, and cost estimates to be approved by the Chief of Engineers: Provided further, That the condition of local cooperation specified in House Document Numbered 245, Eighty-second Congress, shall likewise apply to the construction of said lock and connecting channels."*

**Section 186, Water Resources Development Act of 1976 (Public Law 587, 94th Congress) approved October 22, 1976.**

*"The Act entitled "An Act to authorize construction of the Mississippi River-Gulf outlet", approved March 29, 1956 (70 Stat. 65), is amended by inserting before the period at the end thereof a colon and the following: "And provided further, That such conditions of local cooperation shall not apply to the construction of bridges (at a cost not to exceed \$71,500,000) required as a result of the construction of the Mississippi River-Gulf outlet channel if the*

Secretary of the Army, after consultation with the Secretary of Transportation, determines prior to the construction of such bridges that the Federal Government will not assume the costs of such work in accordance with section 132(a) of the Federal-Aid Highway Act of 1976 (Public Law 94-280); and before construction of the bridges may be initiated the non-Federal public bodies involved shall agree pursuant to section 221 of the Flood Control Act of 1970 (Public Law 91-611) to (a) hold and save the United States free from damages resulting from construction of the bridges and their approaches, (b) to provide without cost to the United States all lands, easements, and rights-of-way necessary for the construction of the bridges and their approaches, and (c) maintain and operate the bridges and their approaches after construction is completed".

**Section 844, Water Resources Development Act of 1986, Public Law 662, 99th Congress, approved November 17, 1986**

Mississippi River-Gulf Outlet.

(a) Subject to section 903(a) of this Act, the Mississippi River-Gulf Outlet feature of the project for Mississippi River, Baton Rouge to the Gulf of Mexico, authorized by the Act of March 29, 1956 (Public Law 455 of the Eighty-fourth Congress, 70 Stat. 65), is modified to provide that the replacement and expansion of the existing industrial canal lock and connecting channels or the construction of an additional lock and connecting channels shall be in the area of the existing lock or at the Violet site, at a cost of \$714,300,000. Before selecting the site under the preceding sentence, the Secretary shall consult with affected local communities. The cost of such modifications shall be allocated between general cargo navigation and inland navigation based on use patterns determined by the Secretary. Of the costs allocated to inland navigation, one-half of the Federal costs shall be paid from the Inland Waterway Trust Fund and one-half of the Federal costs shall be paid from the General Fund of the Treasury. With respect to the costs allocated to general cargo navigation, cost sharing in section 101 shall apply.

(b) The Secretary is directed to make a maximum effort to assure the full participation of members of minority groups, living in the affected areas, in the construction of the replacement or additional lock and connecting channels authorized by subsection (a) of this section including actions to encourage the use wherever possible, of minority owned firms. The Secretary is directed to report on July 1 of each year to the Congress on the implementation of this section, together with recommendations for any legislation that may be needed to assure the fuller and more equitable participation of members of minority groups in this project or others under direction of the Secretary."

**Section 326, Water Resources Development Act of 1996, Public Law 303, 104th Congress, approved October 12, 1996**

Mississippi River-Gulf Outlet, Louisiana.

Section 844 of the Water Resources Development Act of 1986 (100 Stat. 4177) is amended by adding at the end the following :

"(c) Community Impact Mitigation Plan.--Using funds made available under subsection (a), the Secretary shall implement a comprehensive community impact mitigation plan, as described in the evaluation report of the New Orleans District Engineer dated August 1995, that, to the maximum extent practicable, provides for mitigation or compensation, or both, for the direct and indirect social and cultural impacts that the project described in subsection (a) will have on the affected areas referred to in subsection (b)."

**Report No. 101-536, entitled Energy and Water Development Appropriations Bill, 1991, of the Committee on Appropriations of the U. S. House of Representatives, dated June 13, 1990.**

*Mississippi River/Gulf Outlet, Louisiana* -- Pursuant to the development of a replacement lock at the Industrial Canal site in New Orleans, La., the Corps of Engineers in conjunction with the local project sponsors is directed to implement a community participation process with affected residential, business, and governmental entities. The historical nature and uniqueness of the urban environment dictate that a broad based community process is necessary. Such process shall include involvement of representatives of existing community associations and business groups in the area adjacent to the Industrial Canal as well as representatives of local government. The Corps shall designate an advisory group for the purposes of exchanging information and receiving community opinions and advising the District Engineer on various aspects of the project.

The Corps, in conjunction with the local project sponsor, shall develop a comprehensive plan to identify and mitigate to the maximum extent practicable any adverse social and cultural impacts of the project. Such plan shall include measures to provide adequate replacement housing, street circulation, and enhanced neighborhood amenities to insure that communities adjacent to the project remain as complete, livable neighborhoods during and after construction of the project. In the evaluation of benefits for implementing such plan, the benefits attributed to measures included in the project for the purposes of cultural and social mitigation and enhancement shall be deemed to be at least equal to the cost of such measures.

The preservation of historic properties and the evaluation of the impact of civil works projects on areas deemed to be of historical significance is addressed in the Corps' regulations on the subject. The Committee expects the Corps to strictly follow these guidelines in evaluating the impact of the replacement of the Industrial Canal lock.

The Water Resources Act of 1986, (PL 99-662) requires consultation on this project with affected local communities and efforts to "assure full participation of members of minority groups living in the affected areas" in the replacement of the lock. The Act requires the Secretary of the Army to report annually on the implementation of these provisions. The Committee expects full compliance with these requirements.

The Corps shall give maximum consideration to lock replacement alternatives which minimizes residential and business disruption while meeting the goals or improving waterborne commerce.

## PURPOSE AND SCOPE

The purpose of this study is to address the feasibility of improving navigation between the Mississippi River in the vicinity of New Orleans, Louisiana, and the Gulf Intracoastal Waterway and the Mississippi River-Gulf Outlet, which extend east of the river.

Navigation between the Mississippi River and the waterways to the east include shallow-draft inland waterway traffic, shallow-draft local traffic, and deep-draft traffic. Inland waterway traffic is the major cause of congestion at the existing Inner Harbor Navigation Canal Lock, and the study required an inland waterways systems analysis to project navigation needs, and to estimate future inland waterway traffic and economic benefits with various alternative plans. The systems analysis addressed the effects of the lock replacement on the inland waterway system, in particular the Gulf Intracoastal Waterway and its interrelationship with the Mississippi River. The needs, projected traffic, and benefits to deep-draft and local shallow-draft navigation were also developed in the economic analysis.

Engineering investigations included the development of designs of the alternative plans, the development of construction techniques and direct construction impacts of the plans, and the development of cost estimates for the construction and maintenance of the plans.

Each of the structural alternative plans formulated to address the problems and needs developed in the study would significantly impact urban areas (the human environment) and/or the natural environment. Studies of the plans that affected urban areas were conducted to estimate their social impacts, to develop measures to mitigate these impacts, and to determine which impacts could not be mitigated or avoided. Analyses were also conducted to estimate the impacts of the plans on the natural environment and to develop measures to mitigate those impacts.

Investigations leading to the selection of the recommended plan were generally conducted in increasingly detailed levels to provide for the successive screening and refinement of alternative plans, including the without-project (rehabilitate the existing lock) plan. The investigations for the final screening and the recommended plan included:

- Economic studies of the final plans to determine their benefits, which were necessary to determine the national economic development plan, that is, the plan that provides the highest net difference between benefits and costs;
- Impact studies to identify and measure the likely social and economic consequences expected to result from

implementation of the plans, including plan features to mitigate impacts to the human environment.

- Engineering studies, refined to general design memorandum scope, including innovative concepts of construction at the IHNC site, (locally referred to as the Industrial Canal site), and the development of a baseline cost estimate for the recommended plan;
- Evaluation studies to determine the existence or the potential for contamination of lands within or affecting the project area.
- Environmental and cultural resource investigations to determine project impacts, to enable us to consult with the Advisory Council on Historic Preservation (ACHP) and the State Historic Preservation Officer (SHPO) to seek agreement on ways to avoid or reduce effects and enter into a Memorandum of Agreement, and to prepare an environmental impact statement; and
- Real estate investigations to identify the property required and estimate the cost for lands and damages.
- Hazardous, Toxic, and Radioactive Waste (HTRW) studies to determine if such materials are present in the area.

## **REPORT AND STUDY PROCESS**

This report, which includes the draft Environmental Impact Statement (EIS) and appendixes, is in response to the referenced authorities and guidance. The report addresses the feasibility of providing a new lock and related features to improve navigation efficiency, addresses the impacts to the community, and includes measures to mitigate project impacts.

The draft report and draft EIS was furnished to Federal, state and local agencies and other interested entities for review. Following the distribution of these documents, a public meeting was held to discuss the tentatively selected plan. After the receipt of comments from the review of the draft report and EIS and from the public meeting, the tentatively selected plan was revised and a final report was prepared. The final report includes responses to comments received from the review of the draft report and EIS

The final report will be submitted to the Lower Mississippi Valley Division Engineer in Vicksburg, Mississippi. Following review, the Division Engineer will issue a notice of availability of the report and forward the report with his recommendations to Washington. At Washington, the Corps' Headquarters will review the report, coordinate the filing of the final EIS with the EPA, and coordinate the report with other Federal and state agencies and the Governor of Louisiana. Upon receipt of their comments, the Office of the Chief of Engineers will submit its report to the Office of the Secretary of the Army.

The Secretary of the Army will obtain the comments of the President's Office of Management and Budget, sign the Record of Decision, and transmit the report with his recommendation to Congress for action.